

102 KAR 1:036. Part-time service for university, college, and community college members.

RELATES TO: KRS 161.220(4), 161.545, 161.5465

STATUTORY AUTHORITY: KRS 161.310(1), 161.545

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.545 authorizes members of the Teachers' Retirement System to make contributions based on part-time service in accordance with trustee administrative regulations. KRS 161.310(1) requires the Teachers' Retirement System Board of Trustees to promulgate administrative regulations for the administration of the funds of the retirement system and for the transaction of business. This administrative regulation establishes the service towards which contributions may be made and the procedures for crediting those contributions.

Section 1. Active, contributing members who opt to purchase service credit pursuant to this administrative regulation and who are employed on a part-time basis in a position listed in KRS 161.220(4)(b) and (n) in one (1) of the universities or community colleges shall make retirement contributions and receive service credit in compliance with the following conditions:

(1) An active, contributing member who teaches or is paid the equivalent of at least three-tenths (3/10) of regular full-time service may make contributions on the member's salary and receive a fractional year of service credit.

(2) Contributions shall be based upon the equivalent annual contract salary if a full year of service is to be granted.

(3) Members may make personal contributions for that service in accordance with this administrative regulation upon certification of service and salary by the applicable authority.

(4) The contributions shall be made directly to the retirement office on or before December 31 immediately following the fiscal year in which the part-time service was rendered.

(5) Interest charges of eight (8) percent per annum shall be added to payments made after June 30 of the year that the service occurred.

Section 2. An active, contributing member who is employed and teaches or is paid at least seven-tenths (7/10) of the regular contract year shall have the option of purchasing credit for the balance of the contract year in accordance with the conditions of this section.

(1) The member shall be employed in a regular full-time position pursuant to a contract that requires a full day of service for every workday of a full contract year.

(2) The member would have received one (1) year of service credit for completing the contract had it been completed.

(3) The member provided service for less than a full year as required by the contract.

(4) The member was employed pursuant to the contract at the beginning of the fiscal or school contract year.

(5) A member employed after the beginning of a regular contract year shall not be eligible to obtain service credit for the time prior to the member's employment.

(6) The contributions shall be made directly to the retirement office on or before December 31 immediately following the fiscal year in which the part-time service was rendered.

(7) Interest charges of eight (8) percent per annum shall be added to payments made after June 30 of the year that the service occurred.

(8) The total amount of service credit that may be purchased pursuant to this section shall not exceed five (5) years. Service purchased pursuant to this section shall be included in calculating the maximum of five (5) years of nonqualified service credit that may be purchased in accordance with KRS 161.5465.

Section 3. Active, contributing members who purchase retirement credit for full-time or part-time employment in one (1) of the universities or community colleges during years in which they have full-time employment with another employer participating in Teachers' Retirement System, and for which the purchase would result in more than one (1) year of service credit, shall receive salary credit only. Notwithstanding Section 2(8) of this administrative regulation, members making this salary credit purchase, shall purchase every year of their part-time service with the university or community college. (TRS-3(c); 1 Ky.R. 134; eff. 12-11-74; Am. 3 Ky.R. 376; eff. 12-1-76; 29 Ky.R. 2931; 30 Ky.R. 271; eff. 8-13-2003; 33 Ky.R. 3428; 34 Ky.R. 228; eff. 8-31-07; Crt eff. 2-27-2020; 46 Ky.R. 1581; eff. 5-5-2020.)